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# KERALA GAZETTE

## SUPPLEMENTS

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## PART I

CONTENTS

# GOVERNMENT OF KERALA

## Labour (A) Department

### NOTIFICATION

G. O. (Rt.) No. 863/83/LBR. *Dated, Trivandrum, 19th July 1983.*

The award of the Industrial Tribunal, Alleppey in respect of the dispute between the Managing Director, Transformers & Electricals, Kerala Ltd., Angamally and their workmen represented by the TELK Workers Union & TELK Employees Association received by Government on 14-7-1983 is hereby published under section 17 of the Industrial Disputes Act, 1947 (Central Act XIV of 1947).

By order of the Governor,
K. SIVADASAN,
*Deputy Secretary to Government.*

**In the Court of the Industrial Tribunal, Alleppey**

*Present*:

SRI K. KANAKACHANDRAN, B. SC., LL. B.,
*Industrial Tribunal*

*In*

INDUSTRIAL DISPUTE No. 37/82

*Between*

The Managing Director, Transformers & Electricals, Kerala Ltd., Angamally.

*And*

The Workmen of the above concern represented by TELK Workers Union & TELK Employees Association.

*Representations*:—

| | |
|---|---|
| By M/s. Joseph & Kurian, Advocates, Cochin. | For *Management*. |
| By M/s. M. Jayakumar & M. K. C. Das, Desabhimani Road, Cochin. | For *Union*. |
| Sri. K. Damodara Kurup, Advocate, Cochin. | For *Association*. |

C. A. 111/L.

AWARD

This Industrial dispute was Initially referred for adjudication to the Industrial Tribunal, Calicut by a reference order dated 17-3-1981. After the change in the jurisdiction, the case was transferred to this Court and here it was renumbered as I.D. 37/82.

This issue referred for adjudication relates to the promotion of Equipment and Boiler Operators working in the Transformers and Electricals, Kerala Ltd., (For short TELK). Although there were 7 unions representing the workmen of TELK in the reference order, but when the proceedings were started only two unions viz., TELK Employees Union and TELK Employees Association entered appearance and filed claim statements. But on behalf of the TELK Staff Association it is submitted that they have nothing to do with the present dispute and therfore they are not participating in the proceedings. Subsequently another Union, TELK Workmen Association filed an application for getting themselves impleaded in this dispute and their prayer was allowed and they were allowed to file claim statement. On 26-2-1982, the Secretary of TELK Workmen Association filed a memo before this Court stating that his union was also adopting the same claim statement filed by the TELK Employees Association.

By Ext. W1 settlement entered into between the Management and various unions representing workmen on 21-8-1976, Wages, Dearness Allowance and other terms and conditions of service were settled. By clause 5(2) of Ext. W1 settlement, the management and the unions agreed to examine the possibilities of improving the promotion policy by mutual discussions without abrogating their respective stands. Consequently another settlement was arrived at and that was signed on 15-11-1978. That settlement was produced before this Court by the Management and marked as Ext. M1. In Ext. M1 settlement the Management agreed to create 7 posts of Foremen to be filled up by Selection from Craftsmen in the Chargemen Category subject to their possessing a minimum educational qualification of pass in SSLC/JTSLC Examination plus two years service as Chargemen. But in Ext. M1 settlement, there was no agreement with regard to the creation of promotional avenues to the workmen working in Equipment and Boiler Sections. In Clause 9(9) of Ext. M1 settlement however a provision was made to refer the question of their promotional chances for adjudication. The clause 9(9) of Ext. M1 reads as follows:

> "It is agreed that the demand of the unions for evolving a promotion policy for the workmen working in Equipment and Boilor section to adjudication for determining whether promotions can be given and if so from which post to which post and the number".

In Ext. M1 it was also decided to implement the promotion policy with effect from 1-4-1977. The provision contained in Ext. M1 settlement regarding the reference for adjudication the case of workmen in the Equipment and Boiler Section had resulted in the reference of the Present Dispute.

The promotion policy of the workmen of TELK was first evoled in 1974 by the decision of Sri S. Gopalan, the then Labour Commissioner, Government of Kerala on account of the failure of the unions and the Management to find out a suitable formula in the matter of Promotion Policy. Ext. W2 decision of the Labour Commissioner prescribed the manner in which promotion should be given to the workmen working in various categories. It ir also decided therein that for providing avenues of promotion for Boiles Operator Grade-I, a post of Senior Boiler Operator should be created by upgrading one post of Boiler Operator Grade-I. For the newly created post of Senior Boiler Operator, Scale of Pay was also fixed as Rs. 160–10–210–12–270. It was also suggested that the post of Senior Boiler Operator should be filled up by promoting Boiler Operator Grade-I on the basis of seniority subject to their performance being satisfactory and subject to a minimum qualifying service of 5 years as Boiler Operator. In relation to Crane Operator, a post of Senior Crane Operator was also created by upgrading one post of Crane Operator Grade-I. Similarly in the Category of Equipment Operators also which consisted of Loco and Fork Lift Operators, one post of Senior Equipment Operator was created by upgrading one post of the then existing post of Equipment Operators. Wage Scale fixed in the case of Senior Crane Operator was also identical as that of Senior Boiler Operator. It was also recommended that vacancies in the post Senior Crane Operator and Senior Equipment Operator as and when they arise would be filled up by promoting Crane Operator Grade-I and Equipment Operator Grade-I (Loco/Fork Lift Operator) respectively on the basis of seniority subject to rating of their performance being satisfactory and subject to a minimum qualifying service of 5 years as Equipment Operator. In Ext. W2, provision was also made for providing avenues of promotion from the category of Operators Grade-I. Accordingly 33 posts of working chargemen were created by upgrading the then existing 33 posts of Operator Grade-I. Wage scale of working chargeman was also made equivalent to that of Senior Boiler Operator and Senior Equipment Operators.

After Ext. W2 decision by the Labour Commissioner some of the unions representing the workmen pointed out that still there were certain anomalies in the fixation of scales of pay of certain categories of workmen in the factory and staff in the office. This view of the workmen category was contested by the unions representing the workmen in the office. Since there was no amicable settlement on that question, ultimately the matter was referred to Mr. Sulaiman, Senior Industrial Engineer, Kerala State Productivity Counsel, Kalamassery. Sri. Sulaiman conducted job evaluation of each and every category of workmen and submitted a report on 3-11-1978 and that report was marked in these proceedings as Ext. W4. Recommendation was made in Ext. W4 for unification of wage scale in respect of Equipment Operator Grade-I and Boiler Operator Grade-I. All these categories were put in the wage scale of Rs. 160–10–210–12–270. The post of working chargeman which is a post for promotion from the catrgory of Operator Grade-I was also put in the Scale of Pay of Rs. 160-10-210–12–270. The ost of Senior Crane Operator was also made equivalent to the category of

working chargemen. But the Senior Boiler Operator and Senior Equipment Operator were put in still higher scale of pay of Rs. 210–15–300–20–400–25–425.

The contention put forward by the unions appearing in this case is that as in the case of Operators category, in the category of Boiler Operators and Equipment Operators also posts of Foremen and Chargemen should be created so that the persons who are virtually under stagnation in the matter of promotion can be promoted further as chargeman or Foreman. There are only 5 Equipment Operators in TELK and among them one is now the Senior Equipment Operator, two are Grade I Operators and other two are Grade II Operators. WW1 is Grade I Equipment Operator now working in TELK. He has also stated among the five workmen in the Equipment Section, three are having 17 years of service and two are having 8 years of service. Only after the retirement of the senior person now working as Senior Equipment Operator, the next senior who is having more or less the same service would have chance for any promotion. He has testified that Equipment Operators are virtually under stagnation for the last several years and the position will continue as the same till new posts are created in this section.

In Ext. M1 settlement, the qualification for promotion as Foreman is prescribed. According to Clause 11 of Ext. M1 settlement, the post of Foreman has to be filled up by selection from craftsmen in the chargemen category subject to suitability and subject to their possessing a minimum basic educational qualification of pass in the SSLC/JTSLC examination plus two years service as chargemen. After the promotion as Foreman, he will be put either in mechanical or electrical section. In the case of chargemen, the method of appointment prescribed in Ext. M1 is also by means of selection on the basis of seniority and suitability subject to a minimum educational qualification of pass in the SSLC/JTSLC examination or pass in the ITI Examination. It is also provided that they must have a total service of 9 years as Grade-II or Grade-I Operator or working chargemen. The scale of pay of chargemen was also revised by Ext. M1 settlement.

On the side of management, the Deputy Genearal Manager of TELK was examined as MW1. He had deposed before this Court that in terms of Ext. M1 settlement, some of the operators were promoted as chargemen and foremen notwithstanding the department in which they were working. Accordingly one Nalinaksha Kurup who was working in machine shop was promoted as chargeman and posted at machine shop itself initially. After that he was transferred to Permanent Inventory section. Two Welders M/s. Krishnan and Mathew were promoted as chargemen and posted at Insulation Department.

These will indicate that there is no regulation or restriction in the matter of change of sections once promotion is given to personnel working in a particular section.

It has come out in evidence that general qualifications for being promoted as Equipment Operator are :—

(1) Driving licence (2) Experience as Fork lift Operator (3) Minimum Educational qualification of SSLC. In the case of Boiler Operators, the minimum qualifications are II Class in Boiler Competency Certificate Examination and SSLC. To the operator category, the minimum qualification is only ITI Certificates. Therefore it is clear that for each category of post, separate qualifications are prescribed and it may not be advisable to promote Crane Operator or Boiler Operator to the category of Operators. These posts are distinct and different and it is not at all expedient to have the interchange of categories when promotions are made. On agreement, certain promotions were made and those promotions were not confined exclusively to the section in which the promotees were working in the feeder category. On mutual agreement such irregular promotions were effected and therefore it is unnecessary to make any comment on those promotions.

There is no evidence before me to show that under what circumstances Equipment Operators and Boiler Operators were kept separately from the purview of Ext. M1 settlement by which 7 posts of Foremen and 33 posts of Chargemen were created and promotions were effected in relaxation of service qualification. By Ext. W2 decision of the former Labour Commissioner promotional prospects of Boiler and Equipment Operators were bettered by creating one post of Senior Equipment Operator and one post of Senior Boiler Operator. Thus promotions were given to those from the Categories of Grade-I Boiler Operator and Grade-I Equipment Operator. Sri. Sulaiman, by Ext. W4, had recommended higher scale of pay to both Senior Boiler Operator and Senior Equipment Operator than fixed for working chargemen. Therefore the position is that the post of Senior Equipment and Boiler Operators are put above the working chargemen and their pay scales were also fixed above those of working chargemen. But in the case of General Operators, now the promotion to the category of chargeman is from Operator Grade-I. The Operator Grade-I can be promoted as chargeman first and then as Foreman based on his suitability and service qualification. In so far as Grade-I Boiler Operators or Grade-I Equipment Operators are concerned they can aspire promotion only to the lone post of Senior Boiler Operator or Senior Equipment Operator respectively. It has also come out in evidence that present incumbents in the Equipment and Boiler Sections are directs recruits and all of them are having more or less same length of service.

As the matters now stand, a Senior Boiler Operator will not have any scope for further promotion. Similarly a Boiler Operator Grade-I cannot also expect any promotion because only after the retirement of the present Senior Operator. a Boiler Operator Grade-I can be promoted. This is very unjustifiable. If similarly placed Grade-I Operators in the General Operators Category can be promoted to the category of chargemen and then as Foremen, there is no justification for denying the same promotional benefits to the Boiler Operators Grade-I and Equipment Operators Grade-I also.

According to me, without the upsetting staff strength in the Boiler Section and Equipment section, promotional chances for Boiler Operators and Equipment Operators in Grade-I can be bettered by creating the post of Chargemen and Foremen in these sections also. In order to implement that, the present posts of Senior Boiler Operator and Senior Equipment Operator can be converted into Chargemen in the respective categories with the same Scale of Pay applicable to the Chargemen in the Operators category. On conversion of those posts to the chargemen category, the present incumbents in the posts of Senior Boiler Operator and Senior Equipment Operator can be promoted as Foremen in the same scale of pay as of Foremen in the General Operators Category.

MW1 has deposed that duties and functions of Chargemen are allocation of work and assignment of work in the concerned sections. According to him, job knowledge and expertise are necessary for the work of supervisors. If that be the position, the Senior most person working in a particular category will be the most suitable person to do the work of a supervisor. MW1 has also stated that there is no scope for having exclusive supervisors for Boiler and Equipment sections. Possibly, MW1 means by supervisors only the Foremen. Need for having such separate Chargemen in both Boiler and Equipment sections is not ruled out. But only in the matter of having an exclusive Foreman in each section, there is doubt.

As per Ext. M1 settlement, the minimum educational qualification of a Foreman is SSLC/JTSLC. Minimum educational qualification for Equipment/Boiler Operators is also SSLC in addition to other technical qualifications. If an SSLC holding operator with 9 years of service can be promoted first as Chargeman and then as Foreman, there is no justification for denying the same facility to Equipment/Boiler Operators who are also having the same type of qualification, perhaps more than that. The evidence adduced in this case shows that before Ext. M1 settlement, Foremen were Diploma holding Engineers. Since the post of Foreman is a supervisory post, the Management can well utilize the services of promotee Foremen from Boiler/Equipment section also in other sections depending upon job knowledge and experience.

The recourse I am suggesting for creating post of Foreman and Chargeman in Boiler Section and Equipment section is only to avoid stagnation of the workmen therein who had to work for long years in the same post without prospect for getting promotion. If comparatively a lesser qualified person can aspire for promotion to the post of a Chargeman and Foreman with his minimum basic educational qualification of SSLC/JTSLC, a person working in the Boiler section and Equipment section, can also aspire for promotion to those categories of post with the better qualifications he is now possessing. Evidence is to the effect that a majority of workmen in the Boiler section and Equipment section is possessing minimum qualification of SSLC in addition to the technical qualifications. Therefore the position is that the workmen now in the Boiler Section and Equipment Section are having sufficient educational qualification for being promoted to the post of Chargeman

and Foreman. They can also be treated on par with other fellow workmen in the Operator Category. If a SSLC holding Foreman in the Operator Category can supervise the work in Boiler Section also, with tbe same qualification a Senior Boiler Operator on promotion as Foreman can also supervise the work in the other sections.

In the above circumstance, I pass this award with the direction to the management to abolish the post of Senior Boiler Operator and Senior Equipment Operator and instead ot those, two posts of chargemen should be created with the same wage scale applicable to Chargemen in Operator Category. The workmau who are now holding the post of Senior Boiler Operator and Senior Equipment Operator should be promoted as Foreman and consequently their wages should also be fixed in accordance with the wage scale of Foreman in the Operator Category. The promotees to the posts of Foremen and Chargemen in Boiler/Equipments Sections will be entitled for notional fixation of pay with effect from 1-4-1977 if they are having the requisite qualifications prescribed in Ext. M1 as on that date. They will be entitled for monitory benefits only from 1-1-1983.

The Award is passed with the above directions.

K. Kanakachandran,
*Industrial Tribunal.*

## APPENDIX

*Witness examined on the side of the Management*:

MW1. Sri P. V. Jose, Deputy General Manager.

*Witnesses examined on the side of the Workmen*:

WW1. Sri K. J. Antony.

WW2. Sri V. G. George.

WW3. Sri P. V. Paulose.

*Exhibit Marked on the side of the Management*:

Ext. M1. Conciliation settlement dated 15-11-1978.

*Exhibits Marked on the side of the Workmen*:

Ext. W1. Conciliation settlement dated 21-8-1976.

,, W2. Decision of Sri S. Gopalan, Labour Commissioner, dated 28-2-1975.

,, W3. Conciliation settlement dated 8-8-1973.

,, W4. Report on equation of wage scales at TELK, Angamally by M. Sulaiman, Senior Industrial Engineer, Kerala State Productivity Council, Kalamasserry dated 3-11-1978.

,, W5. Conciliation settlement dated 2-11-1974.

## കേരള സർക്കാർ

നിയമ (നിയമ നിർമ്മാണ–എ) വകുപ്പ്

വിജ്ഞാപനം

നമ്പർ 10281/ലജ്. എ2/83/ലാ. തിരുവനന്തപുരം, 1983 ആഗസ്റ്റ് 17/ 1905 ശ്രാവണ, 20.

കേരള നിയമസഭയുടെ താഴെ പറയുന്ന ആക്റ്റ് പൊതുജനങ്ങളുടെ അറിവിനായി ഇതിനാൽ പ്രസിദ്ധപ്പെടുത്തുന്നു. നിയമസഭ പാസാക്കിയ പ്രകാരമുള്ള ബില്ലിനു 1983 ആഗസ്റ്റ് 12-ാം തീയതി ഗവർണ്ണറുടെ അനുമതി ലഭിക്കുകയുണ്ടായി.

ഗവർണ്ണറുടെ ഉത്തരവുപ്രകാരം,
കെ. വിശ്വനാഥൻ നായർ,
നിയമവകുപ്പ് സെക്രട്ടറി.

### 1983-ലെ 18-ാം ആക്റ്റ്

### 1983–ലെ കേരള കണ്ടിജൻസി ഫണ്ട് (ഭേദഗതി) ആക്റ്റ്

1957-ലെ കേരള കണ്ടിജൻസി ഫണ്ട് ആക്റ്റ് വീണ്ടും ഭേദഗതി ചെയ്യുന്നതിനുള്ള ഒരു ആക്റ്റ്,

പീഠിക.— 1957-ലെ കേരള കണ്ടിജൻസി ഫണ്ട് ആക്റ്റ് ഇതിനുശേഷം കാണുന്ന ആവശ്യങ്ങൾക്കായി വീണ്ടും ഭേദഗതി ചെയ്യുന്നതു യുക്തമായിരിക്കുകയാൽ ;

ഇൻഡ്യൻ റിപ്പബ്ലിക്കിന്റെ മുപ്പത്തിനാലാം സംവൽസരത്തിൽ താഴെ പറയും പ്രകാരം നിയമമുണ്ടാക്കുന്നു.

1. ചുരുക്കപ്പേരും പ്രാരംഭവും. — (1) ഈ ആക്റ്റിന് 1983-ലെ കേരള കണ്ടിജൻസി ഫണ്ട് (ഭേദഗതി) ആക്റ്റ് എന്നു പേർ പറയാം.

(2) ഇത് ഉടൻതന്നെ പ്രാബല്യത്തിൽ വരുന്നതാണ്.

2. 2-ാം വകുപ്പിന്റെ ഭേദഗതി.— 1957-ലെ കേരള കണ്ടിജൻസി ഫണ്ട് ആക്റ്റ് (1957-ലെ 6) 2-ാം വകുപ്പ് (1)-ാം ഉപവകുപ്പിൽ, "800 ലക്ഷം രൂപ" എന്ന വാക്കുകൾക്കു പകരം "15 കോടി രൂപ" എന്ന വാക്കുകൾ ചേർക്കേണ്ടതാണ്.

(ശരി തർജ്ജിമ)

പി. ജി. വിമലാദേവി,
അണ്ടർ സെക്രട്ടറി.

Kerala Gazette No. 42 dated 25th October 1983.
PART I

Section iii

കേരള സർക്കാർ

നിയമ (നിയമനിർമ്മാണ-സി) വകുപ്പ്

വിജ്ഞാപനം

നമ്പർ 9941/ലെജ്. സി1/83/ലാ. തിരുവനന്തപുരം, 1983 ആഗസ്റ്റ് 20/
1905 ശ്രാവണം 29.

1983 ആഗസ്റ്റ് 20-ാം തീയതി ഗവർണ്ണർ വിളംബരപ്പെടുത്തിയ താഴെ പറയുന്ന ഓർഡിനൻസ് പൊതുജനങ്ങളുടെ അറിവിനായി ഇതിനാൽ പ്രസിദ്ധപ്പെടുത്തുന്നു.

ഗവർണ്ണറുടെ ഉത്തരവുപ്രകാരം,
കെ. വിശ്വനാഥൻ നായർ,
നിയമവകുപ്പു സെക്രട്ടറി.

1983-ലെ 25-ാം നമ്പർ ഓർഡിനൻസ്

1983-ലെ കേരള വിദ്യാഭ്യാസ (ഭേദഗതി) ഓർഡിനൻസ്

ഇൻഡ്യൻ റിപ്പബ്ലിക്കിന്റെ മുപ്പത്തിനാലാം സംവൽസരത്തിൽ കേരള ഗവർണ്ണർ വിളംബരപ്പെടുത്തിയത്.

1958-ലെ കേരള വിദ്യാഭ്യാസ ആക്റ്റ് വീണ്ടും ഭേദഗതി ചെയ്യുന്നതിനുള്ള ഒരു ഓർഡിനൻസ്.

പീഠിക.—1982 (1982-ലെ 3)-ലെ കേരള വിദ്യാഭ്യാസ (ഭേദഗതി) ഓർഡിനൻസ് കേരള ഗവർണ്ണർ 1982 ഒക്ടോബർ 11-ാം തീയതി വിളംബരപ്പെടുത്തിയതിനാലും ;

പ്രസ്തുത ഓർഡിനൻസിനു പകരം നിയമസഭയുടെ ഒരു ആക്റ്റു കൊണ്ടു വരുന്നതിനുള്ള ബിൽ 1983 ഫെബ്രുവരി 25-ാം തീയതി ആരംഭിച്ച് 1983 മാർച്ച് 30-ാം തീയതി അവസാനിച്ച നിയമസഭാ സമ്മേളനത്തിൽ അവതരിപ്പിക്കുന്നതിനും പാസാക്കുന്നതിനും കേരള സംസ്ഥാന നിയമസഭയ്ക്ക് കഴിയാതിരുന്നതിനാലും ;

പ്രസ്തുത ഓർഡിനൻസിലെ വ്യവസ്ഥകൾ നിലനിറുത്തുന്നതിനായി, 1983 ഏപ്രിൽ 6-ാം തീയതി കേരള ഗവർണ്ണർ 1983 (1983-ലെ 12) കേരള വിദ്യാഭ്യാസ (ഭേദഗതി) ഓർഡിനൻസ് വിളംബരപ്പെടുത്തിയതിനാലും ;

1983-ലെ 12-ാം നമ്പർ ഓർഡിനൻസിനു പകരം നിയമസഭയുടെ ഒരു ആക്ററു കൊണ്ടുവരുന്നതിനുള്ള ബിൽ 1983 ജൂൺ 20-ാം തീയതി ആരംഭിച്ച് 1983 ആഗസ്ററ് 4-ാം തീയതി അവസാനിച്ച നിയമസഭാസമ്മേളനത്തിൽ അവതരിപ്പിക്കുന്നതിനും പാസാക്കുന്നതിനും, കേരള സംസ്ഥാന നിയമ സഭയ്ക്ക് കഴിയാതിരുന്നതിനാലും ,

1983-ലെ 12-ാം നമ്പർ ഓർഡിനൻസിനു ഇൻഡ്യൻ ഭരണഘടന 213-ാം അനുച്ഛേദം (2)-ാം ഖണ്ഡം (എ) ഉപഖണ്ഡപ്രകാരം 1983 ആഗസ്ററ് 1-ാം തീയതി മുതൽ പ്രാബല്യമില്ലാതായിത്തീർന്നിരിക്കുന്നതിനാലും ;

ആ ഓർഡിനൻസിലെ വ്യവസ്ഥകൾ നിലനിറുത്താതിരിക്കുന്നപക്ഷം വൈഷമ്യങ്ങൾ ഉണ്ടാകുമെന്നതിനാലും ;

കേരള സംസ്ഥാന നിയമസഭ സമ്മേളനത്തിൽ അല്ലാത്തതിനാലും, സത്വര നടപടികൾ എടുക്കേണ്ട സാഹചര്യങ്ങൾ നിലവിലുണ്ടെന്ന് കേരള ഗവർണ്ണർക്ക് ബോദ്ധ്യം വന്നിരിക്കുന്നതിനാലും ;

ഇപ്പോൾ, അതിനാൽ, ഇൻഡ്യൻ ഭരണഘടനയുടെ 213-ാം അനുച്ഛേദം, (1)-ാം ഖണ്ഡംമൂലം നൽകപ്പെട്ട അധികാരങ്ങൾ വിനിയോഗിച്ച്, കേരള ഗവർണ്ണർ താഴെപ്പറയുന്ന ഓർഡിനൻസ് വിളംബരപ്പെടുത്തുന്നു.

1. ചുരുക്കപ്പേരും പ്രാരംഭവും.—(1) ഈ ഓർഡിനൻസിന് 1983-ലെ കേരള വിദ്യാഭ്യാസ (ഭേദഗതി) ഓർഡിനൻസ് എന്ന് പേർ പറയാം.

(2) ഇത്, 1982 ഒക്ടോബർ 13-ാം തീയതി പ്രാബല്യത്തിൽ വന്നതായി കരുതേണ്ടതാണ്.

2. 1959-ലെ 6-ാം ആക്ററ് താൽക്കാലികമായി ഭേദഗതി ചെയ്യേണ്ടതാണെന്ന്.—ഈ ഓർഡിനൻസ് പ്രാബല്യത്തിലിരിക്കുന്ന കാലത്ത് 1958-ലെ കേരള വിദ്യാഭ്യാസ ആക്ററിന് (1959-ലെ 6) (ഇതിനു ശേഷം പ്രധാന ആക്ററ് എന്നാണ് പരാമർശിക്കപ്പെടുക) 3-ാം വകുപ്പിൽ പ്രത്യേകം പറഞ്ഞിട്ടുള്ള ഭേദഗതികൾക്ക് വിധേയമായി പ്രാബല്യം ഉണ്ടായിരിക്കുന്നതാണ്.

3. 36-ാം വകുപ്പിന്റെ ഭേദഗതി.— പ്രധാന ആക്ററിലെ 36-ാം വകുപ്പ്, (1)-ാം ഉപവകുപ്പിൽ 'സർക്കാരിന്'' എന്ന വാക്കിനുശേഷം 'പിൽക്കാല പ്രാബല്യത്തോടോ അല്ലെങ്കിൽ മുൻകാല പ്രാബല്യത്തോടോ' എന്ന വാക്കുകൾ ചേർക്കേണ്ടതാണ്.

4. ഒഴിവാക്കൽ.— 1983-ലെ (1983-ലെ 12) കേരള വിദ്യാഭ്യാസ (ഭേദഗതി) ഓർഡിനൻസിനു പ്രാബല്യമില്ലാതായിത്തീരും എന്നിരുന്നാൽ തന്നെയും (ഇതിനുശേഷം പ്രസ്തുത ഓർഡിനൻസ് എന്നാണ് പരാമർശിക്കുന്നത്).—

(എ) പ്രസ്തുത ഓർഡിനൻസുമൂലം ഭേദഗതി ചെയ്യപ്പെട്ട പ്രധാന ആക്ററുപ്രകാരം ചെയ്തതോ അല്ലെങ്കിൽ ചെയ്തതായി കരുതപ്പെടുന്നതോ ആയ ഏതെങ്കിലും സംഗതിയോ എടുത്തതോ അല്ലെങ്കിൽ എടുത്തതായി കരുതപ്പെടുന്നതോ ആയ ഏതെങ്കിലും നടപടിയോ, ഈ ഓർഡിനൻസുമൂലം ഭേദഗതി ചെയ്യപ്പെട്ട പ്രധാന ആക്ററുപ്രകാരം ചെയ്തിട്ടുള്ളതായോ എടുത്തിട്ടുള്ളതായോ കരുതേണ്ടതാണ്.

(ബി) പ്രസ്തുത ഓർഡിനൻസിനു പ്രാബല്യമില്ലാതായിത്തീർന്നില്ലായിരുന്നുവെങ്കിൽ, പ്രസ്തുത ഓർഡിനൻസുമൂലം ഭേദഗതി ചെയ്യപ്പെട്ട പ്രധാന ആക്റ്റ് പ്രകാരം ചെയ്യാനോ അല്ലെങ്കിൽ എടുക്കാനോ കഴിയുമായിരുന്നതും, പ്രസ്തുത ഓർഡിനൻസിന് പ്രാബല്യമില്ലാതായിത്തീർന്നതിനുശേഷവും ഈ ഓർഡിനൻസു ഗസററിൽ പ്രസിദ്ധീകരിക്കുന്നതിനു മുമ്പും ചെയ്ത ഏതെങ്കിലും സംഗതിയോ എടുത്ത ഏതെങ്കിലും നടപടിയോ, ഈ ഓർഡിനൻസുമൂലം ഭേദഗതി ചെയ്യപ്പെട്ട പ്രധാന ആക്റ്റു പ്രകാരം ചെയ്തിട്ടുള്ളതായോ എടുത്തിട്ടുള്ളതായോ കരുതേണ്ടതാണ്.

പി. രാമചന്ദ്രൻ,
ഗവർണ്ണർ.

(ശരിത്തർജ്ജമ)

പി. ജി. വിമലാദേവി,
അണ്ടർ സെക്രട്ടറി (ലാ)

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GOVERNMENT OF KERALA

**Home (C) Department**

NOTIFICATION

G.O. (Rt.) No. 3097/83/Home. *Dated, Trivandrum, 6th October* 1983.

**S.R.O No. 1483/83.**—In exercise of the powers conferred by subsection (8) of Section 24 of the Code of Criminal Procedure 1973 (Central Act 2 of 1974), the Government of Kerala hereby appoint Sri. Sasthamangalam G. Gopalakrishnan Nair, Advocate Trivandrum as Special Public Prosecutor for the conduct of prosecution in sessions case number 105/83 before the District and Sessions Court, Trivandrum.

By order of the Governor,

N. KALEESWARAN,

*Commissioner & Secretary to Government.*

**Explanatory Note**

(This is not part of the Notification but is intended to indicate its general purport.)

Government consider it necessary to appoint a Special Public Prosecutor for the conduct of prosecution in Sessions case No. 105/83 of Sessions Court, Trivandrum. This notification is intended to achieve the above object.

GOVERNMENT OF KERALA

**Home (B) Department**

NOTIFICATIONS

G. O. MS. No. 120/83/Home *Dated, Trivandrum, 12th September* 1983.

I

**S. R. O. No.1484/83.**—In exercise of the powers conferred by subsection (1) of section 8 of the Kerala Children Act, 1972 (3 of 1973), and in supersession of the notification-I issued under G. O. Rt. No. 2196/78/Home, dated the 15th November, 1978 and published as S. R. O. No. 1119/78 in the Kerala Gazette No. 49. dated the 5th December, 1978 the Government of Kerala hereby establish the following Children's Homes specified in Column (4) of the Schedule below, in the blocks specified in Column (2) thereof of the Buildings specified in Column (1) thereof namely:—

SCHEDULE

| Buildings | Block | Location with Sy. No., Village, Taluk and District | Children's Home |
|---|---|---|---|
| (1) | (2) | (3) | (4) |
| Government Children's Home and Spl. School Buildings, Quilon. | Southern and Northern blocks | Sy. No. 8315, 8316 and 8317 Quilon Village, Taluk and District (with Municipal Town, Quilon) | Childrens Home for boys, Quilon. |
| Government Children's Home and Spl. School Buildings, Kottayam. | A and B blocks | Sy. No. 930/1, Manarkad Village, Kottayam Taluk and District. | Children's Home for boys, Kottayam. |

| (1) | (2) | (3) | (4) |
|---|---|---|---|
| Government Children's Home and Spl. School Buildings, Trichur | Whole building | 598, 601, 602 and 614 of Viyyur Village and 869 of Vilvattom Village, Trichur Taluk and District. | Children's Home for boys, Trichur. |
| Government Children's Home and Spl. School Buildings, Calicut. | A & C blocks | Sy. No. 156/1A and 1B Chevayur Village, Kozhikode Taluk and District. | Children's Home for boys, Calicut. |
| Government Children's Home and Spl. School Buildings, Calicut. | B block | Sy. No. 156/1A and 1B Chevayur Village, Kozhikode Taluk and District. | Children's Home for Girls, Calicut. |

**Explanatory Note**

(This does not form part of the Notification but is intended to achieve its general purport)

In its order dated the 15th June, 1982 in Cr. R. P. Nos. 192/82 to 203/82, the High Court of Kerala have directed interalia, that neglected and delinquent children are to be treated separately as envisaged in sections 8 and 9 of the Kerala Children Act, 1972. At present there are five Government Children's Homes and Special Schools at Trivandrum, Quilon, Kottayam, Trichur and Kozhikode to receive both neglected and delinquent children. These institutions have to be reclassified in compliance with the directions issued by the High Court. The notification is intended to achieve the above purpose.

II

**S. R. O. No. 1485/83.**—In exercise of the powers conferred by subsection (1) of section 9 of Kerala Children Act, 1972 (3 of 1973) and in supersession of the notification issued under G. O. Rt. 2196/78/Home, dated the 15th November, 1978, and published as S. R. O. No. 1120/78 in the Kerala Gazette No. 49 dated the 5th December, 1978, the Government of Kerala hereby establish the following Special Schools, specified in column (4) of the schedule below, in the blocks specified in column (2) thereof, of the buildings specified in column (1) thereof, namely:—

SCHEDULE

| Buildings | Blocks | Location with Sy. Number Village, Taluk and District | Special School |
|---|---|---|---|
| (1) | (2) | (3) | (4) |
| Government Children's Home and Special School, Buildings, Trivandrum. | Western and Eastern blocks | Sy. No. 1759, Anchamada Village Trivandrum Taluk and District (within Corporation Limits) | Special School for boys Trivandrum. |
| Government Children's Home and Special School Buildings, Calicut. | D block | Sy. No. 156/1A and 1B Chevayur Village, Kozhikode Taluk and District. | Special School for Girls, Calicut. |

**Explanatory Note**

(This does not form part of the notification but is intended to achieve its general purport).

In its order dated the 15th June, 1982 in Cr. R. P. Nos. 192/82 to 203/82 the High Court of Kerala have directed inter-alia that neglected and delinquent children are to be treated separately as envisaged in sections 8 and 9 of the Kerala Children Act, 1972. At present there are five Government Children's Homes and Special Schools at Trivandrum, Quilon, Kottayam, Trichur and Kozhikode to receive both neglected and delinquent children. These institutions have to be reclassified in compliance with the directions issued by the High Court. The notification is intended to achieve the above purpose.

By order of the Governor,

N. KALEESWARAN,

*Commissioner and Secretary to Government.*

# GOVERNMENT OF KERALA

## Labour (F) Department

## NOTIFICATION

G. O. (Rt.) No. 1033/83/LBR. *Dated, Trivandrum, 13th September* 1983.

S. R. O. No. 1486/83 —In exercise of the powers conferred by section 87 of the Employees' State Insurance Act, 1948 (Central Act 34 of 1948), read with section 91-A thereof, the Government of Kerala in consultation with the Employees' State Insurance Corporation hereby exempt the Kerala Goods Transport Co-operative Ltd No. 43 9, Sreepuram buildings, Trivandrum from the operation of the provisions of the said Act for a period of one year from the 29th March 19.5 subject to the following conditions, namely:—

1. The society shall maintain a register showing the names and designations of its employees;

2. Notwithstanding this exemption, the employees shall continue to receive such benefits under the said Act to which they might have become entitled to on the basis of the contributions paid prior to the date from which exemption granted by this notification operates;

3. The contribution for the exempted period, if already paid, shall not be refunded;

4. The society shall submit in respect of the period during which it was subject to the operation of the said Act (hereinafter referred to as the said period), such returns in such form and containing such particulars as were due from it in respect of the said period under the Employees' State Insurance (General) Regulations, 1950;

5. Any Inspector appointed by the Corporation under subsection (1) of section 45 of the said Act, or other Official of the Corporation authorised in this behalf shall, for the purposes of—

(i) verifying the particulars contained in any return submitted under subsection (1) of section 44 of the said Act; or

(ii) ascertaining whether registers and records were maintained as required by the Employees' State Insurance (General) Regulations, 1950 for the said period; or

(iii) ascertaining whether the employees continue to be entitled to the benefits provided by the employer in cash and kind being benefits in considerations of which exemption is being granted under this notification; or

(iv) ascertaining whether any of the provisions of the said Act had been complied with during the period when such provisions were in force in relation to the said society be empowered to—

(a) require the society to furnish to him such information as he may consider necessary ; or

(b) enter any factory, establishment, office or other premises occupied by the said society at any reasonable time and require any person found in charge thereof to produce to such Inspector or other official and allow him to examine such documents, books and other documents relating to the employment of persons and payment of wages or to furnish to him such information as he may consider necessary ; or

(c) examine the officers of the society or the servants, of the said society or any person found in such factory, establishment, office or other premises, or any person whom the said Inspector or other official has reasonable cause to believe to have been an employee ; or

(d) make copies of or take extracts from any register, account book or other documents maintained in such society office or other premises of the society.

By order of the Governor,
U. MAHABALA RAO,
*Secretary to Government.*

**Explanatory Note**

(This does not form part of the notification, but is intended to indicate its general purport.)

The convener, Kerala Goods Transport Co-operative Limited, Sreepuram buildings Trivandrum in his petition dated 24-8-1981 has requested exemption to the society from the provisions of ESI Act from 29-3-1975. Government after consulting the Regional Director, Employees State Insurance Corporation placed the matter before the 35th Regional Board meeting. The 35th Regional Board meeting recommended the case for exemption. Government accepted the recommendation and decided to grant exemption for a period of one year from 29-3-1975. This notification is intended to achieve the above purpose.

# GOVERNMENT OF KERALA

## Labour (E) Department

## NOTIFICATION

G. O. (Rt) No. 1091/83/LBR. *Dated, Trivandrum, 23rd September* 1983.

**S. R. O. No. 1487/83.**— Whereas the Government of Kerala are satisfied that public interest so requires that the opening time of two cinema theatres namely, Anurag and Venugopal at Pathanamthitta under the management of N. Sadasivan Pillai and Sons, Pathanamthitta should be fixed as 12 noon, for the purpose of conducting noonshows;

Now, therefore, in exercise of the powers conferred by subsection (2) of section 10 of the Kerala Shops and Commercial Establishments Act, 1960 (34 of 1960), the Government of Kerala hereby order that for a period of three months from the date of this notification the said theatres shall not be opened earlier than 9 a. m. on saturdays, sundays and Public holidays which fall on other days of the week, and 12 noon on all other days, or closed on any day later than 2 a. m.

By order of the Governor,
U. MAHABALA RAO,
*Secretary to Government-in-charge.*

### Explanatory Note

(This does not form part of the notification, but is intended to indicate its general purport.)

The provisions of the Kerala Shops & Commercial Establishments Act, 1960 (34 of 1960) are applicable to the Cinema Theatres in this State. M/s Sadasivan Pillai & Sons Pathanamthitta have requested Government to issue orders permitting them to conduct noonshows from 12 noon in Anurag and Venugopal Theatres, under their management. Government consider that the request may be allowed for a period of three months. This notification is to achieve the above purpose.

# GOVERNMENT OF KERALA

## Labour (E) Department

## NOTIFICATION

G. O. (Rt.) No. 1101/83/LBR. *Dated, Trivandrum, 27th September* 1983.

**S.R.O. No. 1488/83.**—In exercise of the powers conferred by section 87 of the Employees' State Insurance Act, 1948 (Central Act 34 of 1948), read with section 91-A thereof, the Government of Kerala, in consultation with the Employees' State Insurance Corporation, hereby exempt the Panavarakkunnu Weaver's Industrial Co-operative Society Ltd. No. H. IND (T) 239, Kattachalkuzhi P. O., Balaramapuram from the operation of the provisions of the said Act for a period of one year from the 31st January, 1978 up to and inclusive of the 30th January 1974 subject to the following conditions, namely:—

1. The society shall maintain a register showing the names and designations of its employees;

2. Notwithstanding this exemption, the employees shall continue to receive such benefits under the said Act to which they might have become entitled to on the basis of the contributions paid prior to the date from which exemption granted by this notification operates;

3. The contribution for the exempted period, if already paid, shall not be refunded;

4. The society shall submit in respect of the period during which it was subject to the operation of the said Act (hereinafter referred to as the said period), such returns in such form and containing such particulars as were due from it in respect of the said period under the Employees' State Insurance (General) Regulations, 1950;

5. Any Inspector appointed by the Corporation under subsection (1) of section 45 of the said Act, or other Official of the Corporation authorised in this behalf shall, for the purposes of—

(i) verifying the particulars contained in any return submitted under subsection (1) of section 44 of the said Act; or

(ii) ascertaining whether registers and records were maintained as required by the Employees' State Insurance (General) Regulations, 1950 for the said period; or

(iii) ascertaining whether the employees continue to be entitled to the benefits provided by the employer in cash and kind being benefits in considerations of which exemption is being granted under this notifications; or

(iv) ascertaining whether any of the provisions of the said Act had been complied with during the period when such provisions were in force in relation to the said society be empowered to—

(a) require the society to furnish to him such information as he may consider necessary; or

(b) enter any factory, establishment office or other premises occupied by the said society at any reasonable time and require any person found in charge thereof to produce to such Inspector or other official and allow him to examine such documents, books and other documents, relating to the employment of persons and payment of wages or to furnish to him such information as he may consider necessary; or

(c) examine the officers of the society or the servants, of the said society or any person found in such factory establishment, office or other premises, or any person whom the said Inspector or other official has reasonable cause to believe to have been an employee; or

(d) make copies of or take extracts from any register, account book or other documents maintained in such society, office or other premises of the said society.

By order of the Governor,
U. MAHABALA RAO,
*Secretary to Government.*

**Explanatory Note**

**(This does not form part of the notification, but is intended to indicate its general purport.)**

The Director of Handloom in his letter No. D2-11477/81 dated 17-11-1981 has requested exemption for the Panayarakkunnu Weavers Industrial Co-operative Society Ltd. No. H. Ind. (T) 239 from the provisions of E. S. I. Act for a period of 4 years from 31-1-1978. Government after consulting the Regional Director, E. S I. Corporation placed the case before the 35th Regional Board meeting. The Board recommended exemption to the Society for a period of one year. Government accept the recommendation of the Regional Board. This notification is intended to achieve the above purpose.

# GOVERNMENT OF KERALA

**Abstract**

KERALA BUILDINGS (LEASE AND RENT CONTROL) ACT, 1965—ENFORCEMENT IN THALAYOLAPARAMBU PANCHAYAT—ORDERS ISSUED

## PUBLIC WORKS (E) DEPARTMENT

G. O. (Ms.) No. 116/83/PW. *Dated, Trivandrum, 30th September* 1983.

## NOTIFICATIONS

(i)

**S.R.O. No 1489/83.**—Whereas the Thalayolaparambu Panchayat has in its resolution No. 13 dated the 3rd November, 1982 requested that the provisions of the Kerala Buildings (Lease and Rent Control) Act, 1965 (2 of 1965), shall be applied to that Panchayat area;

Now, therefore, in exercise of the powers conferred by subsection (3) of section 1 of the Kerala Buildings (Lease and Rent Control) Act, 1965 (2 of 1965), the Government of Kerala hereby apply all the provisions of the said Act to the Thalayolaparambu Panchayat area in the Kottayam District with effect from the date of publication of this notification in the Gazette.

(ii)

**S. R. O. No. 1490/83.**—In exercise of the powers conferred by sub-section (1) of section 3 of the Kerala Buildings (Lease and Rent Control) Act, 1965 (2 of 1965), the Government of Kerala hereby appoint the Munsiff, having jurisdiction over the Thalayolaparambu Panchayat area in the Kottayam District, to be the Rent Control Court for the said area, with effect from the date of publication of this notification in the Gazette.

(iii)

**S. R. O. No. 1491/83.**—In exercise of the powers conferred by subsection (2) of section 3 of the Kerala Buildings (Lease and Rent Control) Act, 1965 (2 of 1965), the Government of Kerala hereby appoint the Tahsildar, having jurisdiction over the Thalayolaparambu Panchayat area in the Kottayam District, to be the Accommodation Controller for the said area, with effect from the date of publication of this notification in the Gazette.

G. 1520

(iv)

**S.R.O.No. 1492/83.**—In exercise of the powers conferred by clause (a) of subsection (1) of section 18 of the Kerala Buildings (Lease and Rent Control) Act, 1965 (2 of 1965), the Government of Kerala hereby confer on the Subordinate Judge or the Principal Subordinate Judge, as the case may be, having jurisdiction over the Thalayolaparambu Panchayat area in the Kottayam District, the powers of the Appellate Authority for the purposes of the said Act in the said area with effect from the date of publication of this notification in the Gazette.

By order of the Governor,

G. K. K. PANICKER,

*Secretary to Government.*

**Explanatory Note**

(This does not form part of the above notifications, but is intended to indicate their general purport).

The Thalayolaparambu Panchayat in the Kottaym District has in its resolution No. 13 dated the 3rd November, 1982 requested Government to extend the provisions of the Kerala Buildings (Lease and Rent Control) Act, 1965 (2 of 1965) to its area. Under section 1(3) of the said Act, Government can extend the provisions of the Act to any area of the State by a notification in the Gazette, provided that such notification shall be supported by a resolution passed by the local authority of the area affected by the notification. The above notifications are to achieve the above purpose and issued on the request of the Panchayat concerned.



# GOVERNMENT OF KERALA

## Revenue (E) Department

## NOTIFICATION

G. O. (P) No. 916/83/RD. *Dated, Trivandrum, 24th September* 1983.

**S. R. O. No. 1493/83.**—In exercise of the powers conferred by subsection (1) of section 2 of the Kerala Public Services Act, 1968 (19 of 1968), the Government of Kerala hereby make the following Special Rules in respect of special Recruitment from among the members of the Scheduled Castes/Scheduled Tribes to the post of Technical Assistant in Survey and Land Records Department.

## RULES

1. *Short title and commencement.*—(1) These rules may be called the Special Rules in respect of Special Recruitment from among the members of Scheduled Castes/Scheduled Tribes to the post of Technical Assistant in the Survey and Land Records Department 1983.

(2) They shall come into force at once.

2. *Educational Qualifications.*—The minimum general educational qualification for appointment to the post shall be a degree of any recognised University with Mathematics as main subject.

3. *Qualification regarding age.*—(1) No person shall be eligible for appointment to the post if he has not completed 18 years of age or has completed 40 years of age on the 1st day of January of the year in which applications for appointment are invited.

(2) The relaxation in age limit envisaged in sub-rule (c) of rule (10) of the General Rules shall not apply to the age specified in sub-rule (1).

4. *Training.*—The person selected for appointments to the post shall be on a pre-service training for a period of 52 weeks. The training period shall not be counted for probation and increment. During the training period the trainee shall be paid the minimum of the scale of pay attached to the post plus its usual allowances.

5. *Probation.*—Every person appointed to the post shall from the date of his joining duty after the pre-service training be on probation for a total period of two years on duty within a continuous period of three years.

6. *Tests.*—Every person appointed to the post shall, during the period of probation, pass the following tests, namely:—

- (a) Account Test (Lower)
- (b) Revenue Test (Travancore or Cochin)
- (c) First Grade Draftsman's test; and
- (d) Head Draftsman Test.

7. *General Condition.*—The person selected for appointment shall execute a bond on stamp paper worth thirty rupees in the Form appended with sureties, before the commencement of the training. The surety shall be solvent to the extent of Rs. 5000 (Rupees five thousand only).

**Appendix**

KNOW ALL MEN BY THESE PRESENTS THAT WE Shri................... (name ................................S/o D/o............... resident of ........................Village...................... Taluk.....................District [hereinaftercalled "the bounden" and Sri. ............... (name) ............................ address]...............and Shri............................... (hereinafter called "the sureties" do hereby bind ourselves and each of us and each of our heirs, executors and administrators jointly and severally to pay to the Governor of Kerala (hereinafter referred to as "the Government) on demand the sum of Rs.......... (Rupees)..................... together with a further sum of Rs. ......(Rupees........................ is liquidated damages.

Signed on this the...................day of one thousand nine hundred and eighty........by Sri/Smt.................In the presence of witness.

1.
2.

1. Sri (sureties)
2 Sri ( ,, )

In the presence of witnesses

1.
2.

WHEREAS, the bounden Sri........................ (name has been selected to undergo training in Survey and Land Records for a period of 52 weeks as per order No...........dated........... (herein after called the "said order which shall form part of this deed as if incorporated herein).

WHEREAS the bounden will be paid the minimum pay and allowances on a scale of pay of Rs. 650-1150 attached to the post monthly and also T. A. at I class rates for the journeys to and from the training centre and for other journeys in connection with the training.

AND WHEREAS the Government have agreed to incur the said expenses on condition that the bounden shall successfully complete the training and qualify timely for the post of Technical Assistant of Survey and Land Records within the said period of 52 weeks and that after such successful completion the bounden shall serve the Government in the Survey Department of the Government or in any other capacity consistant with his/her qualifications and experience for a period of three years and also subject to the terms and conditions herein after appearing and the bounden and the sureties have agreed to the same;

NOW THE CONDITION OF THE ABOVE WRITTEN OBLIOATION IS that in the event of the bounden not conforming to or observing the rules relating to the training or continued adverse reports regarding the progress of his/her training or regarding his/her conduct or of discontinuing the training before the completion of the prescribed period of 52 weeks without the prior approval in writing of the Government or of his her failure to serve in such capacity as the Government may direct for a minimum period of 3 years if so required by Government, the bounden and the sureties shall forthwith pay to the Government all moneys paid and all expenses incurred in respect of the said training together with a sum of Rs.... ... (Rupees.............. ........) as liquidated damages and in the matter of deciding what moneys are to be paid by the bounden and the sureties, the decision of Government shall be final and legally binding on the bounden and the sureties and upon the payment of such sum of the above written obligation shall be void and of no effect, otherwise it shall be and remain in full force and valid.

Provided further that the bounden and the sureties do hereby agree that all sums found due to the Government under or by virtue of this bond may be recovered jointly and severally from them and their properties both movable and immovable as if such sums were arrears of land revenue under the provisions of the Revenue Recovery Act for the time being in force as in such other manner as the Government may deem fit.

The liability of the sureties under this bond is co-extensive with that of the bounden and shall not be affected by the Government giving time or any other indulgence to the bounden or by the Government varying any of the terms and conditions herein contained.

Signed by the bounden Sri/Smt............. ..... .......... . .
In the presence of witnesses :

1.
2.

Signed by the sureties 1.

2.

In the presence of witnesses

1.

2.

By order of the Governor,
U. MAHABALA RAO,
*Secretary to Government.*

**Explanatory Note**

(This will not form part of the notification).

It was decided that the one post reserved for appointment in the gazetted cadre in Survey and Land Records Department by special recruitment from among the Scheduled Castes/Scheduled Tribes shall be in the category of Technical Assistant. There is no provision for direct recruitment to the post of Technical Assistant. This notification is intended to achieve the above purpose.

# GOVERNMENT OF KERALA

**Taxes (B) Department**

NOTIFICATION

G.O.(Ms.) No. 74/83/TD. *Dated, Trivandrum, the 1st October,* 1983.

**S.R.O.No. 1494/83.**—In exercise of the powers conferred by section 10 of the Kerala General Salestax Act, 1963 (15 of 1963), the Government of Kerala, having considered it necessary in the public interest so to do, hereby make the following amendment to their Notification VIII, No. G. O. MS. 278/Rev. dated the 30th March, 1963, published as S.R.O. No. 342/63 in the Kerala Gazette Extraordinary No. 71 dated the 31st March, 1963, namely:—

AMENDMENT

In schedule II in the Appendix to the said notification, for item 20, the following shall be substituted, namely:—

"20. Sales by any charitable trust or charitable institution, the profit of which is solely utilised for charitable purposes :

Provided that the exemption under this item shall not be available to trust or institution created or established for the benefit of any particular religious community or caste or for the benefit of the author or trustee of the trust or the founder or manager of the institution or for the benefit of a member or members of the family of such author, founder, trustee or manager.

*Explanation:*— For the purpose of this item,—(1) a trust or institution created or established for the benefit of backward classes or scheduled castes or scheduled tribes or women and children shall not be deemed to be a trust or institution created or established for the benefit or a religious community or caste;

(2) "member of the family" of an individual means.—

(i) spouse of the individual ;

(ii) brother or sister of the individual ;

(iii) brother or sister of the spouse of the individual ;

(iv) any lineal ascendant or descendant of the individual ;

(v) any lineal ascendant or descendant of the spouse of the individual ;

(vi) spouse of a person referred to in sub-clause (ii), sub-clause (iii), sub-clause (iv) or sub-clause (v) ;

(vii) any lineal descendant of a brother or sister of either the individual or of the spouse of the individual;

(3) 'charitable purpose'. includes relief of the poor, education, medical relief and advancement of any other object of public utility".

By order of the Governor,
R. P. SINGH,
*Secretary to Government.*

**Explanatory Note**

(This does not form part of the notification, but is intended to indicate the general purport.)

Government consider that the exemption granted as per item No. 20 in Schedule II of Notification S. R. O. 342/63 should not be available to institutions established for the benefit of a particular religious community or caste except in the case of institutions established or created for the benefit of scheduled castes and tribes, backward classes, women or children. The notification is intended to achieve the above object.

# GOVERNMENT OF KERALA

## Transport, Fisheries and Ports (Transport-C) Department

## NOTIFICATION

No. 3433/TC2/83/TF&P *Dated, Trivandrum 9th September,* 1983.

S. R. O. No. 1495/83.—Whereas representation has been received by Government from the Stage Carriage Operator Shri O. Ahammed Koya, Thulaparambil House, Narakkal, Ernakulam that the arrears of vehicle tax for the quarters ended on the 30th September, 1982, 31st December, 1982 and 31st March, 1983 in respect of the Stage Carriage bearing Registration Number KLD. 9765 could not be remitted within the prescribed period due to financial strain and that permission may be granted to remit the arrears of vehicle tax in respect of this vehicle in monthly instalments;

And whereas, the Government are convinced that circumstances existed that the operator of the said stage carriage could not remit the arrears of vehicle tax in respect of the said stage carriage ordinarily kept for use in the State for the quarters ended on the 30th September, 1982, 31st December, 1982 and 31st March, 1983 due to financial strain;

And whereas, the Government are convinced that non-operation of the said stage carriage due to non-payment of tax would cause great inconvenience to the travelling public;

And whereas, the Government consider it necessary in public interest to permit the stage carriage operator to remit the arrears of vehicle tax for the quarter ended on the 30th September, 1982, 31st December, 1982 and 31st March, 1983 in respect of the said stage carriage in four monthly instalments;

Now, therefore, in exercise of the powers conferred by section 22 of the Kerala Motor Vehicles Taxation Act, 1976 (19 of 1976), read with rule 5 of the Kerala Motor Vehicles Taxation Rules, 1975, the Government of Kerala hereby order that the arrears of vehicle tax for the quarter ended on the 30th September, 1982, 31st December, 1982 and 31st March 1983, in respect of the said stage carriage ordinarily kept for use in the State shall be paid in four equal monthly instalment commencing from 15th February, 1983 together with additional tax payable under section 12 of the Kerala Motor Vehicles Taxation Act, 1976 read with the Notification (5) No. 33942/TC2/75-5/PW. dated the 29th September, 1975 published as S. R. O. No. 876/75 in the Kerala Gazette Extraordinary No. 572 dated the 29th September, 1975.

By order of the Governor,
V. A. AUGUSTINE,
*Additional Secretary to Government.*

G. 1405 [P.T.O.]

## Explanatory Note

**(This is not part of the notification, but is intended to indicate the main purpose of the issue of the notification.)**

**Government have received representation from the Stage Carriage Operator as shown in the notification requesting instalment facility for payment of vehicle tax for the quarter ended 30th September, 1982, 31st December, 1982 and 31st March, 1983 due to financial strain.**

**Government are convinced of the position and in public interest, grant instalment facility for payment of tax as otherwise the vehicle might be put out of operation for non-payment of tax causing great inconvenience to the travelling public.**

# GOVERNMENT OF KERALA

## Abstract

KERALA BUILDINGS (LEASE AND RENT CONTROL) ACT, 1965 — ENFORCEMENT IN MELUR PANCHAYAT—ORDERS ISSUED.

## PUBLIC WORKS (E) DEPARTMENT

G. O. (Ms) 120/83/PW. *Dated, Trivandrum,* 11*th October* 1983.

## NOTIFICATIONS

(i)

**S. R. O. No. 1496/83.**—Whereas the Melur Panchayat has in its resolution No. 565 dated the 3rd August, 1982 requested that the provisions of the Kerala Buildings (Lease and Rent Control) Act, 1965 (2 of 1965) shall be applied to that panchayat area ;

Now, therefore, in exercise of the powers conferred by subsection (3) of section 1 of the Kerala Buildings (Lease and Rent Control) Act, 1965 (2 of 1965), the Government of Kerala hereby apply all the provisions of the said Act to the Melur Panchayat area in the Trichur District with effect from the date of publication of this notification in the Gazette.

(ii)

**S. R. O. No. 1497/83.**—In exercise of the powers conferred by sub-section (1) of section 3 of the Kerala Buildings (Lease and Rent Control) Act, 1965 (2 of 1965), the Government of Kerala hereby appoint the Munsiff, having jurisdiction over the Melur Panchayat area in the Trichur District, to be the Rent Control Court for the said area, with effect from the date of publication of this notification in the Gazette.

(iii)

**S. R. O. No. 1498/83.**—In exercise of the powers conferred by sub-section (2) of section 3 of the Kerala Buildings (Lease and Rent Control) Act, 1965 (2 of 1965), the Government of Kerala hereby appoint the Tahsildar, having jurisdiction over the Melur Panchayat area in the Trichur District, to be the Accommodation Controller for the said area, with effect from the date of publication of this notification in the Gazette.

G. 1524

(iv)

**S. R O. No. 1499/83.**—In exercise of the powers conferred by clause (a) of sub-section (1) of section 18 of the Kerala Buildings (Lease and Rent Control) Act, 1965 (2 of 1965), the Government of Kerala hereby confer on the Subordinate Judge or the Principal Subordinate Judge, as the case may be, having jurisdiction over the Melur Panchayat area in the Trichur District, the powers of the Appellate Authority for the purposes of the said Act in the said area with effect from the date of publication of this notification in the Gazette.

By order of the Governor,

C. K. K. PANICKER,

*Secretary to Government.*

**Explanatory Note**

(This does not form part of the above notifications but is intended to, indicate their general purport).

The Melur Panchayat in the Trichur District has in its resolution No. 565 dated the 3rd August 1982 requested Government to extend the provisions of the Kerala Buildings (Lease and Rent Control) Act, 1965 (2 of 1965) to its area. Under section 1 (3) of the said Act, Government can extend the provisions of the Act to any area of the State by a notification in the Gazette, provided that such notification shall be supported by a resolution passed by the local authority of the area affected by the notification. The above notifications are to achieve the above purpose and issued on the request of the Panchayat concerned.

Government of Kerala
1983

Reg. No. KL/TV(N)/1



# KERALA GAZETTE

## EXTRAORDINARY

## PUBLISHED BY AUTHORITY

Vol. XXVIII] Trivandrum, Tuesday, 25th October 1983 / 3rd Karthika 1905 [No. 1315

GOVERNMENT OF KERALA

**Local Administration and Social Welfare (D) Department**

NOTIFICATION

G. O. (Rt.) No. 3855/83/LA & SWD. *Dated, Trivandrum, 24th October* 1983.

**S. R. O. No. 1507/83.**—Under section 70 of the Kerala Municipal Corporations Act, 1961 (30 of 1961), read with rule 8 of the Kerala Muncipal Corporations (Election of Mayor and Deputy Mayor) Rules, 1962, it is hereby notified that Shri K. Balachandran and Shri K. J. Sohan, Councillors of the Corporation of Cochin have been elected as the Mayor and the Deputy Mayor respectively, of the said Corporation, at its special meeting held on the 1st October, 1983.

By order of the Governor,

C. Gopalakrishnan,

*Deputy Secretary.*

**Explanatory Note**

(This does not form part of the notification but is intended to indicate its general purport):

The Cochin Corporation Council at its special meeting held on 1-10-1983 elected Shri K. Balachandran and Shri K. J. Sohan as Mayor and Deputy Mayor respectively. Under section 70 of the Kerala Municipal Corporations Act, 1961 the elections of Mayor and Deputy Mayor have to be notified in the Gazette. The notification is intended to achieve the above object.

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# KERALA GAZETTE

## EXTRAORDINARY

## PUBLISHED BY AUTHORITY

Vol. XXVIII] Trivandrum, Tuesday, 25th October 1983 / 3rd Karthika 1905 (Saka) [No. 1317

### NOTIFICATION

UNDER SECTION 13 OF THE KERALA SURVEY AND BOUNDARIES ACT, 1961

No. B2-729/82. *21st October 1983.*

1. It is hereby notified under section 13 of the Kerala Survey and Boundaries Act, 1961 (Act 37 of 1961) that the survey of the undermentioned areas is now complete.

2. Unless the survey hereby notified is modified by a decree of a Civil Court under the provisions of section 14 of the said Act, the records of the survey shall be conclusive proof that the boundaries determined and recorded therein have been correctly determined and recorded.

PARTICULARS OF THE AREA

Taluk—Mukundapuram. Village—Muringoor Thekkummury.

Sy. Nos. Completed.—648/5.

(Sd.)

Trichur. *Special Tahsildar, (LA), Railways, and Land Acquisition Officer.*

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Reg. No. KL/TV(N)/1.

Government of Kerala
1983



# KERALA GAZETTE

## EXTRAORDINARY

### PUBLISHED BY AUTHORITY.

Vol. XXVIII] Trivandrum, Tuesday, 25th October 1983 / 3rd Karthika 1905 (Saka) [No. 1312

## NOTICE

UNDER SECTION 9 (5) OF THE KERALA LAND ACQUISITION ACT, 1961

(ACT 21 OF 1962)

No. LA2. 1066/80/B/14. *22nd October* 1983.

Notice is hereby given that the Government intend to take possession of the lands mentioned in the list below, which are required for a public purpose under the Kerala Land Acquisition Act, 1961 (Act 21 of 1962). All persons interested in the lands are required o appear in person or by authorised agent on the date, time and place noted below and to state/put in a statement in writing signed by themselves or their agents showing the nature of their respective. interests in the lands and the amount and particulars of their claim to compensation for such interests in the lands and their objections, if any to the measurements made under section 8 of the Act.

*Note*:—If the persons interested refuse to make a claim to compensation or omit without sufficient reasons, to make such claim, the amount to be awarded by the court in the event of a reference being made to it on application made by them shall in no case exceed the amount awarded by the Collector under section 11 of the Act.

താഴെ കൊടുത്തിരിക്കുന്ന ലിസ്ററിൽ പറഞ്ഞിട്ടുള്ളതും, 1961-ലെ കേരള സ്ഥലമെടുപ്പ് ആക്ററ് (1962-ലെ 21-ാം ആക്ററ്) പ്രകാരം ഒരു പൊതുകാര്യത്തിന് ആവശ്യമായിട്ടുള്ളതുമായ ഭൂമി കൈവശപ്പെടുത്തുവാൻ ഗവൺമെൻറ്

33/4575/B.

ഉദ്ദേശിക്കുന്നുവെന്ന് ഇതിനാൽ നോട്ടീസ് നല്കിയിരിക്കുന്നു. പ്രസ്തുത ഭൂമിയിൽ അവകാശബന്ധമുള്ള എല്ലാപേരും നേരിട്ടോ, അധികൃത ഏജന്റു മുഖേനയോ താഴെപറയുന്ന തീയതിയിലും സമയത്തും സ്ഥലത്തും ഹാജരാകുകയും, ഭൂമിയിൽ അവരോരോരുത്തർക്കുമുള്ള അവകാശബന്ധങ്ങളുടെ സ്വഭാവവും, ഭൂമിയിൽ അങ്ങനെയുള്ള അവകാശബന്ധങ്ങൾ സംബന്ധിച്ചിടത്തോളം നഷ്ടപ്രതിഫലത്തിന് അവർക്കുള്ള തേർച്ചയുടെ തുകയും വിവരങ്ങളും ആക്റ്റ് 8-ാം വകുപ്പുപ്രകാരം എടുത്തിട്ടുള്ള അളവുസംബന്ധിച്ച് വല്ല ആക്ഷേപവുമുണ്ടെങ്കിൽ അതും ഏതാണെന്ന് കാണിച്ചുകൊണ്ട് പ്രസ്താവന ചെയ്യുകയും, അവരോ അവരുടെ ഏജന്റുമാരോ എഴുതിഒപ്പിട്ട ഒരു സ്റ്റേറ്റുമെന്റ് സമർപ്പിക്കുകയും ചെയ്യണമെന്ന് അവരോട് ആവശ്യപ്പെടുന്നു.

കുറിപ്പ്:—അവകാശബന്ധമുള്ളവർ നഷ്ടപ്രതിഫലത്തിന് തേർച്ച ചെയ്യാൻ കൂട്ടാക്കാതിരിക്കുകയോ, മതിയായ കാരണമില്ലാതെ അങ്ങനെ തേർച്ചചെയ്യാൻ വീഴ്ച ചെയ്യുകയോ ചെയ്യുന്നപക്ഷം അവരുടെ അപേക്ഷയിൻമേൽ കോടതിക്ക് റഫറൻസ് അയയ്ക്കുന്ന സംഗതിയിൽ കോടതി വിധിച്ചുകൊടുക്കേണ്ട തുക യാതൊരു സംഗതിയിലും ആക്റ്റ് 11-ാം വകുപ്പുപ്രകാരം കളക്ടർ വിധിച്ചുകൊടുക്കുന്ന തുകയിൽ കവിയാൻ പാടില്ലാത്തതാകുന്നു.

*Date, time and place of appearance*—On 5-11-1983 at 11 a. m. before the Special Tahsildar, L. A., N. H., Kazhakkuttom.

PARTICULARS OF LANDS

District—Trivandrum.

Taluk—Trivandrum. Village—Attipra.

| *Sl. No.* | *Survey and Sub No.* | *Description* | *Extent in Ares* | *Sq. m.* |
|---|---|---|---|---|
| 1 | 2461/5 | Dry land | 01 | 00 |
| 2 | 2461/13 | ,, | 13 | 00 |
| 3 | 1902/2 | ,, | 18 | 52 |
| 4 | 1963/4 | ,, | 05 | 87 |
| 5 | 1962/2 | ,, | 0 . | 15 |

(Sd.)

*Special Tahsildar, L. A.*

Kazhakkuttom. *(N. H.) Kazhakkuttom.*

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Government of Kerala
1983

Reg. No. KL/TV(N)/12



# KERALA GAZETTE

## EXTRAORDINARY

### PUBLISHED BY AUTHORITY

Vol. XXVIII] Trivandrum, Tuesday, 25th October 1983 / 3rd Karthika 1905 [No. 1313

GOVERNMENT OF KERALA

**Industries (F) Department**

ORDER

No. G. O. (P) 263/83/ID. *Dated, Trivandrum, 12th October,* 1983.

**S. R. O. No. 1505/83.**—In exercise of the powers conferred by section 3 of the Essential Commodities Act, 1955 (Central Act 10 of 1955), read with Government of India, Ministry of Industry and Civil Supplies (Department of Civil Supplies and Co-operation) Order No. S.O. 681 (E) dated the 30th November, 1974, published in the Gazette of India Extraordinary, 1974, Part II, section 3, sub-section (ii), dated the 30th November, 1974, the Government of Kerala hereby make the following order further to amend the Kerala Cement Distribution (Licensing and Regulation) Order, 1974, issued in G.O. (P) 52/74/ID dated the 16th March, 1974, and published in the Kerala Gazette Extraordinary No. 292 dated the 16th March, 1974, namely:—

ORDER

1. *Short title and commencement.*—(1) This order may be called the Kerala Cement Distribution (Licensing and Regulation) Second Amendment Order, 1983.

(2) It shall come into force at once.

2. *Amendment of the order.*—In the Kerala Cement Distribution (Licensing and Regulation) Order, 1974, in clause 18, for sub-clauses (b) and (c), the following sub-clauses shall respectively be substituted, namely:—

(b) Any person or institution desiring to get permit for purchase of levy cement up to 1,000 bags for construction of [illegible]

scale industries and/or up to 25 bags for repair and maintenance to such factory buildings shall make an application in Form 'E' affixing court fee stamp of the value of rupees twenty five to the General Manager, District Industries Centre of the respective District. Applications for more than 1,000 bags for construction of factory buildings for Small Scale Industries shall be made to the Director of Industries and Commerce, Trivandrum in Form 'E' affixing court fee stamp of the value of rupees twenty five through the General Manager, District Industries Centre of the respective District.

(c) Any person desiring to get permit for purchase of more than 100 bags of levy cement for construction or completion of his own residential house having plinth area not exceeding 100 square metres in urban agglomeration/towns/cities/having a population of one lakh and above as per 1981 census and 120 square metres in urban agglomeration/towns/rural areas having a population of less than one lakh as per 1981 census shall make an application in Form 'E' affixing court fee stamp of the value of rupees five to the District Collector of the respective district and any person desiring to get permit for purchase of levy cement for construction or completion of his own residential house up to 100 bags shall make an application in Form 'E' affixing court fee stamp of the value of rupees five to the Tahsildar of the respective taluk. An attested copy each of the approved plan and licence issued by the Panchayat/Municipality or Corporation, as the case may be, and a certificate from an Engineer not below the rank of an Assistant Executive Engineer in Government Service or quasi Government Organisation as to the quantity of cement required for the proposed construction or completion of the building for which cement is applied for, shall be submitted along with every application. Allotment of levy cement shall be made as per the assessed requirements and at any rate not exceeding the rate of 5 bags per square metre for the house to be constructed or completed".

By order of the Governor,

ARUN KUMAR,
*Secretary to Government,*
(*Industries*).

## Explanatory Note

(This does not form part of the order but is intended to indicate its general purport)

In order to ensure the speedy disposal of applications up to 100 bags of levy cement for construction/completion of residential houses by the Tahsildars and up to 25 bags of levy cement for repairs and maintenance of factory buildings in small scale Industries by the General Manages District Industries Centres, it has become necessary to amend the Kerala Cement Distribution (Licensing and Regulation) Order 1974. This is intended to achieve the above object.

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# KERALA GAZETTE

## EXTRAORDINARY

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**Vol. XXVIII] Trivandrum, Tuesday, 25th October 1983 / 3rd Karthika 1905 [No. 1314**

GOVERNMENT OF KERALA

**Local Administration and Social Welfare (D) Department**

NOTIFICATION

G. O. (Rt.) No. 3854/83/LA & SWD *Dated, Trivandrum, 24th October,* 1983.

**S. R. O. No. 1506/83.**—Under section 70 of the Kerala Municipal Corporations Act, 1961 (30 of 1961), read with rule 8 of the Kerala Municipal Corporations (Election of Mayor and Deputy Mayor) Rules, 1962, it is hereby notified that Shri M. Abubacker and Shri S. Suseelan, Councillors of the Corporation of Trivandrum have been elected as the Mayor and the Deputy Mayor respectively of the said Corporation at its meeting held on the 4th October, 1983.

By order of the Governor,
C. Gopalakrishnan,
*Deputy Secretary.*

**Explanatory Note**

(This does not form part of the notification but is intended to indicate its general purport).

The Trivandrum Corporation Council at its special meeting held on 4-10-1983 elected Shri M. Abubacker, Councillor of Palayam Division and Shri S. Suseelan, Councillor of Kamaleswaram Division as Mayor and Deputy Mayor respectively. Under section 70 of the Kerala Municipal Corporations Act, 1961 the elections of Mayor and Deputy Mayor have to be notified in the Gazette. The notification is intended to achieve the above object.

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TRIVANDRUM, 1983.

33/4578/MC.

Government of Kerala
1983

Reg. No. KL/TV(N)/12



# KERALA GAZETTE

## EXTRAORDINARY

## PUBLISHED BY AUTHORITY

Vol. XXVIII] Trivandrum, Tuesday, 25th October 1983 / 3rd Karthika 1905 (Saka) [No. 1316

## NOTIFICATIONS

### Under Section 13 of Kerala Survey and Boundaries Act, 1961

1. It is hereby notified under section 13 of the Kerala Survey and Boundaries Act, 1961 (Act 37 of 1961) that the survey of the under-mentioned areas is now complete.

2. Unless the survey hereby notified is modified by a decree of a Civil Court under the provisions of section 14 of the said Act, the records of the survey shall be conclusive proof that the boundaries determined and recorded therein have been correctly determined and recorded.

(1)

No. B1-123/82. *24th October* 1983.

Particulars of the Area

Taluk—Talappilly. Village—Parlikad.

Survey Nos. completed—

345/1-7, 345/2-8, 345/3-9, 345/4-10, 345/5-11 and 345/6.

$3/4582/B

(2)

No. B2-603/82. *22nd October* 1983.

PARTICULARS OF THE AREA

Taluk—Mukundapuram. Village—Murigoor Thekkummury.

Survey Nos. completed—

448/21, 448/23, 448/24, 448/25, 448/26, 448/27, 448/28, 448/29, 448/30, 448/31, 448/32, 448/33, 448/34 and 448/35.

(Sd.)

*Special Tahsildar (L. A.) Railways.*

**Trichur.**

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